

25



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/911,109	07/23/2001	Tatsushi Nashida	450100-03355	4003

20999 7590 01/12/2006
FROMMER LAWRENCE & HAUG
745 FIFTH AVENUE- 10TH FL.
NEW YORK, NY 10151

EXAMINER

WOZNIAK, JAMES S

ART UNIT	PAPER NUMBER
----------	--------------

2655

DATE MAILED: 01/12/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/911,109

Applicant(s)

NASHIDA ET AL.

Examiner

James S. Wozniak

Art Unit

2655

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-52 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-52 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 July 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Response to Appeal Brief

1. In view of the appeal brief filed on 10/21/2005, PROSECUTION IS HEREBY REOPENED due to the presence of official notice/design choice. A new final rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

- (1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,
- (2) request reinstatement of the appeal.

If reinstatement of the appeal is requested, such request must be accompanied by a supplemental appeal brief, but no new amendments, affidavits (37 CFR 1.130, 1.131 or 1.132) or other evidence are permitted. See 37 CFR 1.193(b)(2).

Response to Arguments

2. Applicant's arguments have been fully considered but they are not persuasive for the following reasons:

With respect to the independent claims, the applicant argues that Yamamoto (U.S. Patent: 5,923,337) fails to teach or suggest an ambient state generating means enabling the assistant to

act (e.g., by words or utterances as if urging a response from a user, further stating that Yamamoto does not teach a speech recognition feature (*Appeal Brief, Page 11*). In response, the examiner points out that it is Trower et al (*U.S. Patent: 5,983,190*) that teach the use of a speech recognition feature with an interactive character (*Col. 6, Line 62- Col. 7, Line 12; and Fig. 3, Element 118*).

Yamamoto is relied upon to provide the particular concept of enabling an animated character to generate an ambient state in which motions are made in a proper way when an interactive system is placed in a wait state (*eyebrow raising, foot tapping, etc. when a user fails to input speech, Col. 14, Line 32- Col. 15, Line 3*). As is currently claimed, the present invention requires that, in an ambient state, an interactive assistant either makes motions in a proper way *OR* acts as if urging the user to input commands using the input speech recognition means. In this case, Yamamoto teaches the concept of making motions in a proper way (*eyebrow raising, foot tapping, etc.*) when an interactive system is placed in a wait state (no voice input). This concept of making motions such as eyebrow raising or foot tapping when no voice input is detected would enable the system of Trower to prevent an animated character from appearing lifeless during the absence of speech (*Yamamoto, Col. 14, Lines 55-57*).

In response to the applicant's arguments that Yamamoto fails to teach a personified assistant interacting with a user (*Appeal Brief, Page 11*), the examiner notes that such a user-assistant interaction is taught by Trower (*Fig. 2, Element 60; Column 23, Lines 36-60*). As noted above, Yamamoto is relied upon merely to provide concept of enabling an animated character to generate an ambient state in which motions are made in a proper way when an interactive system is placed in a wait state due to a lack of a voice response from a user.

Thus, in view of *the combination* of Trower and Yamamoto, the previous rejection is maintained.

In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., enabling an assistant to act by words or utterances as if urging a response from a user, appeal brief, page 11) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Although official notice taken with respect to claims 13, 15, 20, 37, 39, and 44 was not officially challenged in any of the prior office action responses, references have now been provided in support of official notice/design choice, as per the below rejections.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. **Claims 1-3, 6, 9, 11, 25-27, 30, 33, 35, 49 and 52** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al (*U.S. Patent: 5,983,190*) in view of Yamamoto (*U.S. Patent: 5,923,337*).

With respect to **Claims 1, 25, and 49**, Trower discloses:

An assistant control means for generating a personified assistant and making said assistant appear on a screen of said display unit (*Fig. 2, Element 60*);

An output speech control means for determining speech required for said assistant to output said assistant's speech to the outside through said speech output unit after speech synthesis (*determining an appropriate response to a speech input and performing speech synthesis, Col. 23, Lines 36-60; and speakers, Col. 4, Lines 20-34*);

An input speech recognition means for recognizing user's voice as a speech inputted through said speech input unit (*recognition engine for recognizing a speech input, Col. 6, Line 62- Col. 7, Line 12, and Fig. 3, Element 118*);

An interaction management means for managing interaction between said assistant and said user according to said assistant's speech determined by said output speech control means and said user speech recognized by said input speech recognition means (*maintained list of available commands for interaction, Col. 27, Line 5- Col. 28, Line 29*); and

A command interpreting means for specifying a user's intention or specifying said inputted user command based on a content of interaction traced by said interaction management means (*spoken command recognition and maintained list of available commands for interaction, Col. 27, Line 5- Col. 28, Line 29*).

Trower also discloses a computer readable medium for storage of a program implementing the above method (*Col. 4, Lines 8-19*).

Trower fails to explicitly teach or fairly suggest generating an ambient state enabling a animated personified assistant to make motions in a proper way or act as if urging the user to input speech commands when an interactive system is in a waiting state, however Yamamoto

Art Unit: 2655

teaches such an ambient state generating means (*eyebrow raising, foot tapping, etc., Col. 14, Line 32- Col. 15, Line 3*).

Trower and Yamamoto are analogous art because they are from a similar field of endeavor in interactive speech dialog systems having animated characters. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Trower with the means of generating appropriate animations when a interactive speech system is in a waiting state as taught by Yamamoto to prevent an animated character from appearing lifeless during the absence of speech (*Yamamoto, Col. 14, Lines 55-57*).

With respect to **Claims 2 and 26**, Trower recites:

Assistant control means determines an animation of said assistant based on a content of interaction managed by said interaction management means and/or an inputted user command specified by said command interpreting means (*playing an animation for a current command based upon a state resulting from a previous command, Col. 24, Lines 25-34, and a maintained list of available commands for interaction, Col. 27, Line 5- Col. 28, Line 29*).

With respect to **Claims 3 and 27**, Trower discloses:

Output speech control means determines an assistant's speech based on a content of interaction managed by said interaction management means and/or an inputted user command specified by said command interpreting means (*selection of an appropriate speech output in response to a user command, Col. 23, Lines 36-60, and a maintained list of available commands for interaction, Col. 27, Line 5- Col. 28, Line 29*).

With respect to **Claims 6 and 30**, Trower shows:

Communication means for connecting said system to a communication medium such as an external network or a telephone line (*Fig. 11, Element 454*), wherein said input speech recognition means recognizes audio data received via said communication medium (*server, linked to multiple clients, featuring a speech recognition engine, Fig. 3, Element 118, and Col. 6, Line 62- Col. 7, Line 12*).

With respect to **Claims 9 and 33**, Trower shows:

Personified assistant is placed in a room scattered with various kinds of objects including a link to an information resource (*Fig. 2, and Internet browser in a desktop space containing an animated character, Col. 4, Lines 54-67*).

With respect to **Claims 11 and 35**, Trower recites:

Upon the command interpreting means interpreting an inputted user command, said assistant control means makes said assistant appear on a screen of said display unit (*request for opening a character file, Col. 13, Lines 21-43*).

With respect to **Claim 52**, Yamamoto additionally discloses:

The motions or act include a leading question (*eyebrow raising which is a questioning gesture, Col. 14, Line 32- Col. 15, Line 3*).

5. **Claims 4, 5, 12, 17, 19, 22-24, 28, 29, 36, 41, 43, and 46-48** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Yamamoto, and in further view of Houser et al (*U.S. Patent: 5,774,859*).

With respect to **Claims 4 and 28**, Trower in view of Yamamoto teaches the speech command interface system and method utilizing an interactive animated character, as applied to

Claims 1 and 25. Trower does not specifically suggest providing user guidance if a command recognition error occurs; however Houser recites:

Control means determines speech for leading a user's intention when said command interpreting means fails to specify said user's intention or said inputted user command *(prompting a user to select an intended channel upon the occurrence of a command recognition error, Col. 19, Lines 27-60)*.

Trower, Yamamoto, and Houser are analogous art because they are from a similar field of endeavor in speech controlled systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the means of prompting a user upon the occurrence of a command recognition error as taught by Houser with the speech command interface system and method utilizing an interactive animated character taught by Trower in view of Yamamoto in order to recognize a user command even if the system is unable to determine a proper recognition result, thus improving command detection capability. Therefore, it would have been obvious to combine Houser with Trower in view of Yamamoto for the benefit of improving command detection capability.

With respect to **Claims 5 and 29**, Trower in view of Yamamoto teaches the speech command interface system and method utilizing an interactive animated character, as applied to Claims 1 and 25. Trower in view of Yamamoto does not teach the interpretation of a specific command for selecting a TV channel or recording a television program, however Houser discloses:

Command interpreting means also interprets a command for controlling a function of said external apparatus including selection of a broadcast program channel and/or recording/reproducing of said broadcast program (*Col. 30, Lines 26-42*).

Trower, Yamamoto, and Houser are analogous art because they are from a similar field of endeavor in speech controlled systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the means of recognizing commands related to TV channel selection and program recording as taught by Houser with the speech command interface system and method utilizing an interactive animated character as taught by Trower in view of Yamamoto to increase speech command system functionality and usability by further adding the ability to perform and simplify common television related tasks (*Houser, Col. 1, Line 59- Col. 2, Line 16*). Therefore, it would have been obvious to combine Houser with Trower in view of Yamamoto for the benefit of increasing speech command system functionality by adding the ability to perform common television related tasks.

With respect to **Claims 12 and 36**, Houser further discloses:

In response to said command interpreting means interpreting an inputted user command as a channel selection command, control means shows a selected broadcasting program in a display window (*channel information and selection commands, Col. 25, Line 38- Col. 26, Line 6*).

With respect to **Claims 17 and 41**, Houser additionally recites:

In response to said command interpreting means interpreting an inputted user command as a channel change command, said assistant control means makes said assistant appear with a

list of changeable broadcasting programs arranged in a matrix shape (*viewing guide menu command used for channel selection, Col. 25, Line 33- Col. 26, Line 6, and Fig. 11*).

With respect to **Claims 19 and 43**, Houser further discloses:

EPG distributed as part of data broadcast is applied for generating a list of broadcasting programs in a matrix form (*Col. 25, Lines 33-64*).

With respect to **Claims 22 and 46**, Trower in view of Yamamoto teaches the speech command interface system and method utilizing an interactive animated character, as applied to Claims 1 and 25. Trower in view of Yamamoto does not specifically suggest client authorization means, however, Houser discloses:

Communication means for connecting said system to a communication medium such as an external network or a telephone line, and a certifying means for certifying an information terminal connected to said system via said communication medium (*Fig. 2A, and EPG access authorization, Col. 25, Lines 33-37*).

Trower, Yamamoto, and Houser are analogous art because they are from a similar field of endeavor in speech controlled systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the user authorization means taught by Houser with the speech command interface system and method utilizing an interactive animated character as taught by Trower in view of Yamamoto to prevent unauthorized users from accessing customer services provided by a speech enabled command system. Therefore, it would have been obvious to combine Houser with Trower in view of Yamamoto for the benefit of providing only authorized users with speech command system access.

With respect to **Claims 23, 24, 47, and 48**, Houser discloses the viewing guide that displays program information as applied to Claims 17 and 41 and shown in Fig. 11.

6. **Claims 7, 8, 31, and 32** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Yamamoto, and further in view of Lumelsky et al (*U.S. Patent: 6,081,780*).

With respect to **Claims 7 and 31**, Trower in view of Yamamoto teaches the speech command interface system and method utilizing an interactive animated character, as applied to Claims 1 and 25. Trower also teaches the ability to access email utilizing a speech command (*Col. 28, Lines 20-29, and network connection, Fig. 11, Element 454*), but does not specifically suggest that the animated character recites the content of a received email using a speech output means. However, Lumelsky discloses:

Communication means for connecting said system to a communication medium such as an external network and/or a telephone line, and a mail exchange means for making an exchange of electronic mails via said communication medium, wherein said output speech control means determines said assistant's speech based on a content of an incoming mail (*user request for speech synthesis of e-mails, Col. 20, Line 65- Col. 21, Line 16*).

Trower, Yamamoto, and Lumelsky are analogous art because they are from a similar field of endeavor in speech-controlled systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the ability to synthesize a received email as taught by Lumelsky with the speech command interface system and method utilizing an interactive animated character taught by Trower in view of Yamamoto to provide an alternate

means of conveniently accessing email contents when a user does not have a continual view of a display. Therefore, it would have been obvious to combine Lumelsky with Trower in view of Yamamoto for the benefit of providing an alternate means of conveniently accessing email contents.

With respect to **Claims 8 and 32**, Lumelsky further discloses:

Interaction management means manages an input speech of a user as a message bound for another user, and said output speech control means determines said assistant's speech based on said message (*playback of a voice mail attached to an email in response to a speech command, Col. 20, Line 58- Col. 21, Line 16*).

7. **Claims 10 and 34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Yamamoto, and further in view of Crow et al (*U.S. Patent: 6,262,724*).

With respect to **Claims 10 and 34**, Trower in view of Yamamoto teaches the speech command interface system and method utilizing an interactive animated character located in a desktop space, as applied to Claims 9 and 33. Trower in view of Yamamoto does not teach the display of a link containing musical content in the display space, however Crow discloses:

Assistant control means places said personified assistant in a room scattered with various kinds of objects including a link to an information resource, and in response to an interest of said user in a recording medium including a link to a music content placed in said room, said command interpreting means interprets an inputted user command as a command for playing back said music content (*media files capable of being located on a desktop, Col. 9, Lines 52-56, and speech control of a media player, Col. 8, Line 55- Col. 9, Line 25*).

Trower, Yamamoto, and Crow are analogous art because they are from a similar field of endeavor in speech-controlled systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the speech enabled media player taught by Crow with the speech command interface system and method utilizing an interactive animated character located in a desktop space taught by Trower in view of Yamamoto in order to increase speech command system functionality and usability by further adding the ability to play audio files using a speech-controlled media player. Therefore, it would have been obvious to combine Crow with Trower in view of Yamamoto for the benefit of increasing speech command system and method usability.

8. **Claims 13 and 37** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Yamamoto, further view of Houser et al, and yet further in view of Volk et al (U.S. Patent: 5,687,331).

With respect to **Claims 13 and 37**, Trower in view of Yamamoto and further in view of Houser teach the speech command interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus, as applied to Claims 12 and 36. Trower in view of Yamamoto, and further in view of Houser do not suggest the use of a ring-based window placed around an animation for channel selection, however, Volk teaches such a ring-shaped window for TV program selection (*Col. 12, Lines 29-40*).

Trower, Yamamoto, Houser, and Volk are analogous art because they are from a similar field of endeavor in interactive control systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Trower in view of

Yamamoto and further in view of Houser with the ring-shaped window for TV program selection as taught by Volk in order to provide a more communicative means of indicating focus in an interactive television environment (*Volk, Col. 6, Lines 26-37*).

9. **Claims 14 and 38** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Yamamoto, further view of Houser et al, further in view of Volk et al, and yet further in view of Florin et al (*U.S. Patent: 5,583,560*).

With respect to **Claims 14 and 38**, Trower in view of Yamamoto, further in view of Houser, and further in view of Volk teaches the speech command interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus containing program information, as applied to Claims 13 and 37. Trower in view of Yamamoto, further in view of Houser, and further in view of Volk does not teach the ability to zoom in on a selected channel, however Florin discloses a picture-in-picture window with the ability to jump to (zoom in on) the channel displayed in the window (*Col. 17, Lines 41-59, voice command means, Col. 12, Lines 59-67, and Figs. 20 and 21*).

Trower, Yamamoto, Houser, Volk, and Florin are analogous art because they are from a similar field of endeavor in interactive controlled systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the means of zooming in on a channel feature in a picture-in-picture window as taught by Florin with the speech command interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus containing program information as taught by Trower in view of Yamamoto, further in view of Houser, and further in view of Volk to provide a

convenient speech-enabled means of previewing and accessing a selected television channel, thus increasing system functionality. Therefore it would have been obvious to combine Florin with Trower in view of Yamamoto, in view of Houser, and further in view of Volk for the benefit of increasing speech command system functionality by providing a speech-enabled means of previewing and accessing a selected television channel.

10. **Claims 15 and 39** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Yamamoto, further view of Houser et al, and yet further in view of Kanerva et al (*U.S. Patent: 6,026,416*).

With respect to **Claims 15 and 39**, Trower in view of Yamamoto, and further in view of Houser teaches the speech command interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus containing program information, as applied to Claims 12 and 36. Trower in view of Yamamoto, and further in view of Houser does not suggest that the menus containing program information are shown in a binder on a display, however, Kanerva teaches such a binder display format (*Col. 6, Lines 8-38*).

Trower, Yamamoto, Houser, and Kanerva are analogous art because they are from a similar field of endeavor in interactive control systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Trower in view of Yamamoto and further in view of Houser with the binder display format taught by Kanerva in order to provide a means for maintaining related data in an ordered format (*Kanerva, Col. 3, Lines 20-27*).

11. **Claims 16 and 40** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Yamamoto, further view of Houser et al, further in view of Kanerva et al, and yet further in view of Florin et al (*U.S. Patent: 5,583,560*).

With respect to **Claims 16 and 40**, Trower in view of Yamamoto, further in view of Houser, and further in view of Kanerva teaches the speech command interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus containing program information, as applied to Claims 15 and 39. Trower in view of Yamamoto, further in view of Houser, and further in view of Kanerva does not teach the ability to zoom in on a selected channel, however Florin discloses a picture-in-picture window with the ability to jump to (zoom in on) the channel displayed in the window (*Col. 17, Lines 41-59, voice command means, Col. 12, Lines 59-67, and Figs. 20 and 21*).

Trower, Yamamoto, Houser, Kanerva, and Florin are analogous art because they are from a similar field of endeavor in interactive controlled systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the means of zooming in on a channel feature in a picture-in-picture window as taught by Florin with the speech command interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus containing program information as taught by Trower in view of Yamamoto, further in view of Houser, and further in view of Kanerva to provide a convenient speech-enabled means of previewing and accessing a selected television channel, thus increasing system functionality. Therefore it would have been obvious to combine Florin with Trower in view of Yamamoto, in view of Houser, and further in view of Kanerva for

the benefit of increasing speech command system functionality by providing a speech-enabled means of previewing and accessing a selected television channel.

12. **Claims 18 and 42** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Yamamoto, in further view of Houser et al, and yet further in view of Florin et al (*U.S. Patent: 5,583,560*).

With respect to **Claims 18 and 42**, Trower in view of Yamamoto, and further in view of Houser teaches the speech command interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus containing program information, as applied to Claims 13, 15, 17, 37, 39, and 41. Trower in view of Yamamoto, and further in view of Houser does not teach the ability to zoom in on a selected channel, however Florin discloses a picture-in-picture window with the ability to jump to (zoom in on) the channel displayed in the window (*Col. 17, Lines 41-59, voice command means, Col. 12, Lines 59-67, and Figs. 20 and 21*).

Trower, Yamamoto, Houser, and Florin are analogous art because they are from a similar field of endeavor in speech controlled systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to combine the means of zooming in on a channel feature in a picture-in-picture window as taught by Florin with the speech command interface system and method utilizing an interactive animated character and featuring speech-initiated TV channel selection menus containing program information as taught by Trower in view of Yamamoto, and further in view of Houser to provide a convenient speech-enabled means of previewing and accessing a selected television channel, thus increasing system functionality.

Therefore it would have been obvious to combine Florin with Trower in view of Yamamoto, and further in view of Houser for the benefit of increasing speech command system functionality by providing a speech-enabled means of previewing and accessing a selected television channel.

13. **Claims 20 and 44** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Yamamoto, further in view of Lumelsky et al, and yet further in view of Ludwig et al (*U.S. Patent: 5,758,079*).

With respect to **Claims 20 and 44**, Trower in view of Yamamoto, and further in view of Lumelsky teaches the speech command interface system and method utilizing an interactive animated character capable of accessing and synthesizing e-mail messages, as applied to Claims 7 and 31. Trower in view of Yamamoto, and further in view of Lumelsky does not specifically suggest displaying a new or incoming mail icon in response to the acceptance of mail; however, Ludwig teaches an image that indicates the presence of a new e-mail message (*dog having an envelope in its mouth, Col. 36, Lines 11-24*).

Trower, Yamamoto, Lumelsky, and Ludwig are analogous art because they are from a similar field of endeavor in interactive control systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Trower in view of Yamamoto with the image that indicates the presence of a new e-mail message as taught by Ludwig in order to enable quick notification and access of an incoming e-mail message (*Ludwig, Col. 38, Lines 12-22*).

14. **Claims 21, 45, and 50-51** are rejected under 35 U.S.C. 103(a) as being unpatentable over Trower et al in view of Yamamoto, and further in view of Iwamura et al (*U.S. Patent: 5,262,760*).

With respect to **Claims 21 and 45**, Trower in view of Yamamoto teaches the speech command interface system and method utilizing an interactive animated character, as applied to Claims 1 and 25. Trower in view of Yamamoto does not specifically suggest Kanji to Kana text conversion, however Iwamura teaches such a kanji-kana conversion (*Col. 6, Line 61- Col. 7, Line 2*).

Trower, Yamamoto, and Iwamura are analogous art because they are from a similar field of endeavor in interactive control systems. Thus, it would have been obvious to a person of ordinary skill in the art, at the time of invention, to modify the teachings of Trower in view of Yamamoto with the kanji-kana conversion means taught by Iwamura in order to provide a user with the option of easily editing display graphics (*Iwamura, Col. 6, Line 57- Col. 7, Line 2; and Col. 3, Lines 24-41*).

Claims 50 and 51 contain subject matter similar to Claims 21 and 45, and thus, are rejected for the same reasons.

Conclusion

15. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO**


MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

16. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632. The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wayne Young can be reached on (571) 272-7582. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

James S. Wozniak
12/20/2005


WAYNE YOUNG
SUPERVISORY PATENT EXAMINER